

REMARKS/ARGUMENTS

The Office Action of November 5, 2003 presents the examination of claims 13, 15-17, 20-33, 35-38 and 52. Claims 23-27 are indicated as allowed.

The issues precluding allowance of the remaining claims are:

1. a rejection under 35 U.S.C. § 112, second paragraph, for indefiniteness in the recitation of plant genera by the first initial only; and

2. a rejection under 35 U.S.C. § 112, first paragraph, for alleged lack of enablement.

As to the first grounds of rejection, Applicants have amended the claims to recite each genus of plant by the full name of the genus. Thus, "M." is amended to "Murraya", "H." to "Hibiscus", "T." to "Trachyspermum", "S." to "Syzygium", "A." to "Adhatoda" and "E." to *Euphorbia* in the claims. Also, some instances of misspelling of "koenigii" are corrected. Accordingly, the rejection under 35 U.S.C. § 112, second paragraph should be withdrawn.

As to the second grounds of rejection, the Examiner has required a showing that the various plants recited in the claims are "known and available" to the skilled artisan seeking to practice the invention. Accordingly, Applicants present attached as Exhibit 1, an excerpt from "Compendium of Indian Medicinal Plants", vol. 5, 1990-1994, R.P. Rastogi et al., c. 1998 by Central Drug Research

Institute, Lucknow and National Institute of Science Communication, New Delhi. Applicants submit that the disclosure in this excerpt makes it clear that one of ordinary skill in the art knows of and has access to the plants *Murraya paniculata* (see p. 555 and 558), *Hibiscus abelmoschus* (p. 425), *Trachyspermum ammi* (p. 859), *Syzygium aromaticum* (p. 822 and 823), *Adhadata vasica* (see p. 6) and *Euphorbia hirta* (p. 349 and 353) recited in the claims. Accordingly, the instant rejection for lack of enablement should be withdrawn.

Conclusion

Applicants submit that the present application well describes and claims patentable subject matter, and is patentably distinct over the cited references. Thus, reconsideration and withdrawal of all rejections is respectfully requested.

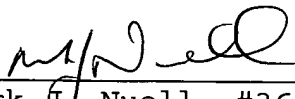
Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Mark J. Nuell (Reg. No. 36,623) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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attachment: Exhibit 1